

DISTRICT V ADVISORY BOARD

MINUTES

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November 3, 2003

7:00 p.m.

Auburn Hills Golf Course Clubhouse

443 S. 135th West

Nine (9) District Advisory Board Members including two youth members attended the District V Advisory Board meeting. Eight (8) City Staff were present and approximately 30 members of the public of which 20 signed the signup sheet.

Members Present

David Almes
Bob Bulman
David Dennis
Maurice Ediger
Andy Johnson
John Marker
Steve Winslow
Matt Schippers
Jonathan Brooks
Council Member Bob Martz

Staff Present

Dale Miller, Planning
Rob Younkin, Public Works
Officer Lee Eisenbise, Police
Officer A.L. Boden, Police
Officer Michelle Schell, Police
Officer Dave Wertz, Police
Rhonda Harper, Finance
Dana Brown, City Manager's Office

Members Absent

Sean Cash
Fran Hoggatt
DeAnn Sullivan
Jordan Hudson

Guests

Listed on page 6

ORDER OF BUSINESS

Call to Order

Council Member Bob Martz called the meeting to order at 7:04 p.m. and welcomed the public. He explained the role of the District Advisory Board as advisory to him in his elected position, the City Council Member of District V. **Council Member Martz** said that the Board included three youth members, each representing a school in the district including the high schools of Northwest, Maize, and Bishop Carroll. He then introduced State Representative Joe McLeland as a member of the audience. Representative McLeland represents the area and is particularly interested in items on the meeting agenda.

Council Member Martz invited comment from the public regarding any agenda items scheduled during the review process. He asked that appropriate conduct be followed to show respect for the person speaking and that the same point not be repeated.

Approval of Minutes and Agenda

The minutes for November 3, 2003 were approved as written by a vote of 7-0 (Almes/Bulman). The Agenda was approved as presented.

Public Agenda

This portion of the agenda provides an opportunity for citizens to present issues that are not part of the regular agenda for the meeting.

A scheduled item for a representative from the **Westerlea Neighborhood Association** to present neighborhood concerns about development planned for an adjacent area was deferred.

Clete Dold, representing Breezy Lakes Homeowners Association (HOA), asked for an update on the medians as part of the Maple Street expansion. Staff agreed to obtain the information from the project engineer and contact either Dold or Ron Moore.

Elizabeth Bishop, Wichita Independent Neighborhoods (WIN), presented information about a neighborhood safety training scheduled for November 15 in cooperation with the Wichita Police Department. Bishop handed out the WIN Newsletter with details of the training.

George Walta, 11031 Carr Street, spoke about issues of growth and increased traffic in the area of Maize & Pawnee. He suggested that the City consider opening Tyler Road from Maize to Tyler, as it was at one time. Discussion identified that construction of a road would probably have to go through the south end of Pawnee Prairie Golf Course. Staff agreed to discuss the suggestion with Public Works staff.

W. Hagler, 1350 S. Maize, spoke regarding his concern that the tax collected for Unified School District 259 does not always support youth who attend schools in other communities, such as Maize and Goddard High Schools. Hagler was concerned that Wichita Police provided support to these schools when Wichita residents supported with taxes. **Council Member Martz** said that those schools are not supported by Wichita Police although the police work with the local officers in those communities. He said every effort was being made to work out an agreement for funding support of the School Resource Officers program in Wichita. He also explained that the new beats added in Districts II & V were supported by local taxes.

A request had been previously received from representatives of the **Evergreen Homeowners Association** to present concerns regarding commercial development in the New Market Square area. However, no one was present to speak.

Action: Receive and file.

Staff Presentations

Community Police

Community Police Officers for District V reported on issues in their beats. **Officer Eisenbise, Beat 18** said that the 4 days/10 hour shifts appear to be working well. He said a Neighborhood Oriented Traffic Enforcement (NOTE) had been opened at Maple & Ridge due to the high number of accidents. He said most of the accidents are due to improper turns when motorists switch lanes while turning or try to make it through the intersection on a yellow light. **Officer Wertz, Beat 16**, said his area covers most of the shopping area along Kellogg as well as residential areas. He said that the officers all try to address quality of life issues, such as He said that the NOTE program mentioned by Office Eisenbise is used to focus enforcement in a particular area that has a high concentration of speeding, accidents, complaints, etc. Wertz said an example of the NOTE program was the bar, known as the Game, at 151st and Kellogg. Numerous complaints were received and police responded with as emphasis on the area. As a result, live performances outside the bar are no longer being given. He also warned people that several car windows have been broken from cars parked along the street in residential areas. If the cars are in the driveways, they are usually are safe. **Officer Boden, Beat 19**, reminded people that each officer posts a newsletter for their beat on the City's website (www.wichita.gov). The newsletters typically report specific issues in each beat and are informative for the area residents. **Officer Schell, Beat 199**, reported several NOTE areas in the beat had been initiated. She said that vandalism is increasing as well as home burglaries. Schell reminded everyone to lock their cars, even in their own driveways and to remove CDs & phones as well as close the garage door. Schell also said that a rumor appeared to be circulating about a rape in the beat area; she reinforced that it is rumor.

Board Members asked several questions:

1) How many officers serve each shift to which Eisenbise said typically 4-6 officers per shift but

sometimes they overlap;

- 2) Are motorized scooters legal to which Schell said that the Law Department has stated that they are not legal, especially on sidewalks and streets. The same applies to go-carts. **Council Member Martz** asked if signs posted at retail shops that sell the scooters and go-carts might help. Officers said they would look into the suggestion.
- 3) Are cars with lights visible underneath legal to which officers said no, they are illegal as are the lights on windshields.

Action: Receive and File

Proposed Changes to Neighborhood Revitalization Areas (NRA) & Local Investment Areas (LIA)

Grants Office staff presented proposed changes for these areas as part of the next Five-Year HUD Consolidated Plan and the Neighborhood Revitalization Plan (NRP). The NRP is a legal document for implementation of both the State NRA and Housing & Urban Development (HUD). These plans provide cities with authority under State law to offer incentives to homeowners to improve their property. They also focus CDBG and HOME funding to visually improve the LIAs through private investment incentives. The 2000 U.S. Census Data has been used to develop the proposed modifications. If approved by City Council, the Plan will be in effect July 1, 2004-June 30, 2008. Changes have been proposed to the LIAs of Northeast, Northcentral, Orchard Breeze, and Delano.

Board Members asked the following questions to which Harper responded:

- What do HOME and ESG stand for and what do they provide? HOME is part of HUD & related to housing, and ESG stands for Emergency Shelter Grant.
- What is the purpose of the NRA? It is a state plan that is required to offer tax rebates.
- Is the funding for residential only? Yes

The Board voted to support the proposed changes through a vote of 7-0.

Action: Recommend support for proposed changes.

Planning Agenda

CUP2003-52; ZON2003-50

Dale Miller, Planning Department, presented the request to create DP-268 Holland Commercial Community Unit Plan and ZON2003-00050, a request to change zoning to “GC” General Commercial. The area is located on the northwest corner of Kellogg Drive & Tyler Road intersection. The Community Unit Plan has associated zoning changes that the subject property currently consists of eight parcels with parcels #2-8 either commercially or residentially developed, and Parcel #1, a large undeveloped area. Staff has recommended approval based on several conditions including access points on Belview and Bryon with another on the Kellogg frontage road. Another condition includes landscape screening on the north & west sides where residential areas currently exist. The streets on the north & west sides of the subject property are unpaved.

Members of the public presented a number of concerns about current and future impact on the neighborhood including current & future drainage issues thought to be caused by the fill-in of Parcel #1, previously used as an orchard setting 2-3’ below surface grade; questionable debris used for fill-in; concerns that water wells in orchard area were not capped according to legal process prior to covering with fill-in; site of the masonry wall for screening commercial area from residential area and especially the wall height, due to the upward grade of the residential properties; traffic volume effect on unpaved roads, especially truck traffic; increased use of Belview to Dubon to frontage road along Kellogg to Seville by construction

workers and others to avoid use of light at Kellogg & Tyler; increase in noise; increased use of residential streets such as Callahan to avoid use of light at Tyler & Belview; destruction of trees where unnecessary; and, certain permitted uses, such as “bars & taverns” and those with 24-hour lighting.

Council Member Martz requested the residents with sincere concerns about the type of debris used for in-fill to submit a letter to him identifying the concerns and including any pictures as evidence. He said that he would have the situation investigated and emphasized that any contamination is a very high concern.

Kim Edgington, Austin-Miller Consulting, agent for the applicant, reported on issues addressed at a previous meeting with some of the residents and their attorney, Robert Kaplan, including a list of desired exclusions from allowed uses; placing the access point on Belview close to Tyler for use of traffic light at Tyler & Belview; current & future drainage; lighting restrictions; building architecture; and, masonry screening & additional landscaping. However, Edgington said the concerns had not yet been discussed with the agent. Edgington said a traffic study would be conducted to help identify the impact of traffic on the neighborhood. She also said an environmental study would be conducted as part of development & construction and if contamination is found in the ground water, it would be remediated. She said that the wall could be constructed first to help with the noise and dust issues.

Bob Kaplan, speaking for certain area residents, stated that the neighborhood is not organized as a neighborhood or homeowner association so he had been asked to represent certain individual residents in the matter. He said that a meeting held earlier that day had not achieved agreement on issues with Parcel #1 including allowed uses, access control for Bryon & Belview, landscaping, and height of masonry wall.

District V Advisory Board Members expressed concerns about several of the resident issues and asked about action &/or clarification on the following: posting “No Truck Traffic” signs in the residential area; constructing the intersection of Tyler & Belview to reduce traffic volume; ongoing frustration with the continuous concern of drainage during and after property development; and, discouraging additional residential traffic to streets directly across from the commercial area by strategic placement of access points. DAB Members were especially concerned about the number of issues that had not been addressed expressed a need for more negotiation between the applicant and the residents before bringing the case to the DAB meeting for a recommendation. The DAB deferred action on the request until a compromise could be reached on the majority of the issues discussed at the meeting. They asked that the request be brought back when the majority of these issues have been resolved

In addition, **Officer Lee Eisenbise, Community Police Officer for the area**, stated that he was available to help with any quality of life issues for the residents, such as traffic issues, and to please call on him as needed.

Action: DAB V voted 7:0 to defer action on the case until the applicant and the area residents can reach a compromise on the majority of the issues identified during the meeting.

CUP2003-00055; ZON2003-00053 DP-269

The presentation of this planning request was deferred.

ZON2003-00054

Dale Miller, Planning Department, presented the zone change request for an area of 3.53 acres located at the northeast corner of Maple and 135th Street West. The proposed use for the subject property is a bank and a drug store. Miller explained the applicant wants to amend Protective Overlay #17 to: (1) revise signage restrictions; and, (2) amend access controls and (3) revise architectural consistency requirements. If

this request is approved, the applicant will revise boundaries of the existing lots. The applicant requests the amendments develop a bank and a drug store on this site.

Members of the public expressed concerns about large signs that are typical for the drug store, especially in close proximity to residential areas. Certain existing signs were identified as examples. Avy said that the sign would be comparable to the Walgreen's sign at Maple & Maize, in the 14-15 feet size.

Russ Avy, agent for the applicant, requested a protective overlay with unknown use in mind. A variety in signage is requested with the condition of keeping signage size in scale with existing and future businesses in the area.

Members of the DAB asked questions about proposed signage and traffic control. Avy said the LED sign would conform to the city's sign code, as does the standard existing Walgreen sign. The signs would be constructed in monument style. Signage on properties adjacent to residential areas is restricted to 65-75 square feet in area. Any reflective quality to the signage is limited to pinpoint reflection, only allowing the light to focus in a small radius. Concerns about traffic focused on possible interference and congestion with cars stacking at the Maple & 135th intersection while other traffic attempts to turn into the commercial area at the access points. Miller noted that the Traffic Engineer had agreed to three access point sites in accordance with the Access Management Plan.

The Board voted 7:0 to support the Planning Department recommendation to approve the request with the conditions listed in the staff report but to limit signage to 75 square feet on Parcel #2.

Action: Recommended by a vote of 7:0 for approval subject to conditions and an additional limitation for signage on Parcel #2 to 75 square feet.

Public Works Agenda

Proposed Paving Project

Rob Younkin, Public Works, presented a petition to pave Eberly court, located west of 119th Street West. The signatures on the petition represented 12 of 21 (57.14%) resident owners and 58.49% of the improvement district. The level needed for a valid petition is 51%. Currently, Eberly Court is a sand road that provides access to an area of single-family homes. The proposed improvement would be an asphalt mat road with grassed ditches to provide drainage, which is acceptable due to the large lot sizes and existing drainage conditions.

Bulman (Johnson) moved that the project be recommended for approval. The vote passed 7-0.

Action: The Board recommended support of the proposal by a vote of 7-0.

Board Agenda

Updates, Issues, and Reports

Report on any activities, events, or concerns in the neighborhoods and/or District.

Council Member Martz reporting the following:

- A press conference will be held on Wednesday, November 5th at 1:30 p.m. in the First Floor Board Room of City Hall to announce the project of channelization for the Cowskin Creek Improvements

Issues. The project will cost approximately \$3 million with the Corp of Engineers funding 75% of the cost.

- Information had been received on the city's prioritization of sites to install traffic signals with #1 being 29th & Ridge and #4 being 119th & Central.
- Encourage everyone to visit the WATER (Water Area Treatment & Education Resource) Center in Herman Hill Park on Pawnee, between Broadway & McLean. The Center is just west of the South Police Station in the park. The WATER Center is the treatment facility for the Gilbert-Mosley Project, the area of contamination in the ground water through the mid-area of the city. Approximately 5 miles of piping leading from the contaminated area to the WATER Center convey the water as extraction wells clean it. After the water reaches the Center, it is further cleaned by an air stripper housed at the site. The Center also provides a learning environment for school groups as well as adults through observation of the air stripper at work and other features including two on-site aquariums stocked with native fish, learning activities, water fountains & use of symbolism on the importance of water to life. The cleaned water is also used to maintain all of the park area.

DAB Members asked about the following items:

- Traffic light at 21st & 119th Street seems to need some adjustment. Westbound traffic on 21st is protected with a green left-turn light but stopped with a red light when eastbound traffic is stopped but all westbound traffic is allowed to proceed west.
- Houses at 21st & 119th appear trashy and out of compliance with building codes. This situation is reoccurring and needs some permanent change.
- The Drainage concerns that continue to occur need to be seriously addressed. The process for preventing the reoccurrence of these incidents is apparently not working.

Action: Staff will research the issues of the traffic light and the houses in disrepair at the 21st & 119th Street Intersection.

Council Member Martz reminded everyone that the next meeting for District Advisory Board V is scheduled for December 1, 2003. The meeting will be at Auburn Hills Clubhouse at 7:00 p.m. With no further business, the meeting was adjourned at approximately 9:30 p.m.

Respectfully Submitted,

Dana Brown, Neighborhood Assistant
City Council District V

Guests

Clete Dold, 218 S. Breezy Pt. Circle, 67235
George Walta, 10603 Carr
Carlos Matulka, 630 Tippecanoe, 67209
Don Simon, 539 S. Byron
Judy Simon, 539 S. Bryon
Jennifer Ferguson, 12805 W. Alderny, 67235
Dale Kohlman, 265 Maple Dunes Ct.
Brent Hartman, 450 S. Keith
Representative Joe McLeland, 431 S. Westfield
Kim Edgington, 142 N. Emporia, 67202

Gary Lembke, 1335 S. Westfield, 67209
Don Schrag, 300 N. Mead, Suite 200
Doug Malone, 150 N. Market
James E. DeBroeck, 10914 Ryan Street, 67209
Harry Moore, 620 S. Bryan, 672098
Kathleen Booher, 651 S. Callahan
David McGuire, 382 S. Limuel Ct.
Walter Cartwright, 8900 Belview
Margaret Cartwright, 8900 Belview
Carlos Morgan, 630 S. Byron